

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGE MOORE,

Plaintiff,

vs.

Case No. 10-CV-13148
HON. GEORGE CARAM STEEH

MICHIGAN DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

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ORDER ACCEPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

This matter is before the court on plaintiff George Moore's action alleging that defendants violated his rights by denying, or at least delaying, medical care with regard to an alleged stroke he suffered on August 9, 2007. Defendants MDOC and Mound Road Correctional Facility filed motions to dismiss based on the Eleventh Amendment as well as a motion for judgment based on plaintiff's failure to timely effect service on John Doe Officers Nos. 1 and 2. The Magistrate Judge issued a report and recommendation recommending that defendants' motions to dismiss and motion for entry of judgment be granted. Objections to that report have not been filed by plaintiff within the established time period. The Court has reviewed the file, record, and magistrate judge's report and recommendation.

The Court agrees with the analysis conducted by the magistrate judge, and therefore accepts her recommendation that defendants' motions to dismiss the claims against defendant MDOC and Mound Road Correctional Facility be GRANTED with

prejudice. In addition, the Court agrees with the recommendation that defendants' motion for entry of judgment based on plaintiff's failure to timely effect service on John Doe defendants be GRANTED and the case be dismissed without prejudice as to John Doe Officers Nos. 1 and 2.

SO ORDERED.

Dated: April 27, 2011

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on April 27, 2011, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk